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and opportunities in Connecticut

**Judiciary Committee**

*HB 6641 An Act Concerning the Sexual Assault of Persons whose Ability to Communicate Lack of Consent is Substantially Impaired*

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My name is Amy Miller and I am the Program & Public Policy Director at the Connecticut Women's Education and Legal Fund (CWEALF). CWEALF is a statewide, non-profit organization dedicated to empowering women, girls, and their families in order to achieve equal opportunities in their personal and professional lives. Today I am writing to urge you to support HB 6641, *An Act Concerning the Sexual Assault of Persons Whose Ability to Communicate Lack of Consent is Substantially Impaired*. This bill is essential in protecting the rights of people with physical and developmental disabilities.

Since 1973, CWEALF has worked to ensure that all people receive equal rights and treatment and support HB 6641 for this reason. Currently, the definition of "physical helplessness" in the law is narrow and only applies to a small population of people with disabilities, leaving the vast majority of persons with a disability at risk and unprotected from sexual violence. This loophole in Connecticut law can be fixed by passing HB 6641. HB 6641 expands the definition of "physical helplessness" to include people who are conscious but cannot communicate their unwillingness to engage in any sexual act.

This expansion of the law is crucial because persons with disabilities are twice as likely to be sexual assaulted than others without a disability. This is even more imperative given the ruling in *State of Connecticut v. Richard Fournin (2012)* where a conviction was overturned due to a disabled victim failing to bite, kick, and scratch her attacker. By requiring a person to physically resist his or her attacker, the law is requiring them to endanger themselves by fighting back in order to prove a sexual assault occurred. HB 6641 would ensure that no person is taken advantage of sexually because of his or her disability and inability to communicate consent.

Now is the time to act. Advocates from all over the state have been working on this bill for four years, and it can't wait another year. I think we can all agree that we want to protect everyone from enduring the trauma that is associated with sexual violence, and passing this bill is another step in that direction.

I hope you will join me in supporting HB 6641 and show that Connecticut is committed to preserving the rights of all people to live free from violence. Thank you for your time.